

REFERENCE TITLE: labor organizations; political activities; contributions

State of Arizona
Senate
Forty-ninth Legislature
First Regular Session
2009

SB 1268

Introduced by
Senators Pierce, Allen S, Gorman, Paton: Melvin

AN ACT

AMENDING TITLE 23, CHAPTER 8, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 23-1308; RELATING TO LABOR ORGANIZATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 23, chapter 8, article 1, Arizona Revised Statutes,
3 is amended by adding section 23-1308, to read:
4 23-1308. Labor organizations; political activities; fund;
5 contributions; reports; violation; classification;
6 definition
7 A. A LABOR ORGANIZATION SHALL NOT SPEND ANY PORTION OF ORGANIZATION
8 DUES OR FEES FOR POLITICAL ACTIVITIES, EXCEPT THAT THE LABOR ORGANIZATION MAY
9 USE ORGANIZATION DUES OR FEES TO COMMUNICATE DIRECTLY WITH ITS OWN MEMBERS
10 ABOUT POLITICAL CANDIDATES AND BALLOT MEASURES.
11 B. A LABOR ORGANIZATION MAY ESTABLISH A SEPARATE POLITICAL ACTIVITY
12 FUND TO SPEND MONIES FOR POLITICAL ACTIVITIES. THE POLITICAL ACTIVITY FUND
13 SHALL NOT INCLUDE OR COMMINGLE ANY ORGANIZATION DUES OR FEES AND THE
14 ADMINISTRATION OF THE FUND SHALL NOT BE PAID BY UNION DUES OR FEES. THE
15 LABOR ORGANIZATION MAY SOLICIT VOLUNTARY CONTRIBUTIONS FROM EMPLOYEES TO THE
16 POLITICAL ACTIVITY FUND. IF A LABOR ORGANIZATION SOLICITS VOLUNTARY
17 CONTRIBUTIONS TO THE POLITICAL ACTIVITY FUND FROM AN EMPLOYEE, THE LABOR
18 ORGANIZATION SHALL INFORM THE EMPLOYEE IN WRITING OF BOTH OF THE FOLLOWING:
19 1. THE FUND'S POLITICAL PURPOSE.
20 2. THE EMPLOYEE'S RIGHT TO REFUSE TO CONTRIBUTE TO THE FUND WITHOUT
21 FEAR OF REPRISAL OR LOSS OF MEMBERSHIP IN THE LABOR ORGANIZATION.
22 C. THE LABOR ORGANIZATION HAS THE BURDEN OF PROOF TO ESTABLISH THAT
23 THE REQUIREMENTS OF SUBSECTION B ARE MET.
24 D. A LABOR ORGANIZATION THAT ESTABLISHES A POLITICAL ACTIVITY FUND
25 SHALL REGISTER WITH AND REPORT TO THE SECRETARY OF STATE AND OTHERWISE COMPLY
26 WITH THE REQUIREMENTS OF TITLE 16, CHAPTER 6.
27 E. A PERSON WHO KNOWINGLY VIOLATES THIS SECTION IS GUILTY OF A CLASS
28 ____ MISDEMEANOR.
29 F. FOR THE PURPOSES OF THIS SECTION, "POLITICAL ACTIVITY" MEANS
30 SUPPORTING OR OPPOSING ANY CANDIDATE FOR PUBLIC OFFICE, POLITICAL PARTY,
31 REFERENDUM, INITIATIVE, POLITICAL ISSUE ADVOCACY, POLITICAL ACTION COMMITTEE
32 OR OTHER SIMILAR GROUP.